

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE**

To: Pierre A Plotkins
Calgary, Alberta

Pro Landscaping Ltd.
Calgary, Alberta

And To: All Occupant(s) of the following Housing premises:

SW ¼ 23-22-28-W4M; 223066 Ranger Road 282

RE: Those housing premises located in Rocky View County, Alberta and municipally described as:

**SW ¼ 23-22-28-W4M; 223066 Range Road 282
Rocky View County, Alberta**

WHEREAS I, an Executive Officer of Alberta Health Services, have inspected the above premises pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. Non-compliance with an executive officer order, issued October 12, 2010 and Public Health Appeal Board decision issued January 1, 2011.
- b. Wastewater field not in proper operating condition.
- c. Rear upper deck railings are loose and not secure.
- d. Floor drain, in furnace room, has screwed in cap making floor drain ineffective.
- e. Some areas in between tiles in upper main bathroom flooring missing grout.
- f. Sewage lagoon located within 100 meters of the water well.
- g. Sewage lagoon located within 45 meters of a dwelling, as per the Alberta Private Sewage Systems Standard of Practice 2009.
- h. Frog infestation in the basement.
- i. Leaking plumbing in basement shower.
- j. No hot water in basement shower.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards and the General Sanitation Regulation, Alberta Regulation 243/2003 exist in and about the above noted premises, namely:

- a. Non-compliance with an executive officer order, issued October 12, 2010 and Public Health Appeal Board decision issued January 1, 2011. This is in contravention of Section 15(2)(d) of the Nuisance and General Sanitation Regulation.
- b. Wastewater field not in proper operating condition. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards.
- c. Rear upper deck railings are loose and not secure. This is in contravention of Section 3(c) of the Minimum Housing and Health Standards.
- d. Floor drain, in furnace room, has screwed in cap making floor drain ineffective. This is in contravention of Section 6(a) of the Minimum Housing and Health Standards.
- e. Some areas in between tiles in upper main bathroom flooring missing grout. This is in contravention of Section 5 of the Minimum Housing and Health Standards.
- f. Sewage lagoon located within 100 meters of the water well. This is in contravention of Section 15(2)(d) of the Nuisance and General Sanitation Regulation.
- g. Sewage lagoon located within 45 meters of a dwelling as per the Alberta Private Sewage Systems Standard of Practice 2009. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation.
- h. Frog infestation in the basement. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards.
- i. Leaking plumbing in basement shower. This is in contravention of Section 6(c) of the Minimum Housing and Health Standards.
- j. No hot water in basement shower. This is in contravention of Section 6(c) of the Minimum Housing and Health Standards.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

NOW THEREFORE, I hereby ORDER and DIRECT:

1. That the occupants vacate the above noted premises on or before January 30th, 2012.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Immediately take any and all steps necessary to prevent wastewater effluent from breaking out or coming to the surface from the onsite wastewater treatment system.

The above requirement may include reducing water usage and/or, pumping out the septic tank as much as needed to prevent the wastewater effluent from surfacing.
 - b. Obtain an Alberta Government certified installer to complete a site and soils evaluation and, giving consideration to expected use patterns, evaluate the existing system to determine why the system continues to fail. The evaluation must be based on the current Alberta Provincial Standard of Practice for onsite wastewater treatment systems. A copy of this evaluation must be provided to the satisfaction of an Executive Officer of Alberta Health Services.
 - c. Obtain an Alberta Government certified installer to correct or modify the existing system or to install a new onsite wastewater treatment system using the information provided from the site assessment obtained in 1b. A copy of the approval, from a level 2 Safety Codes Officer, of the onsite wastewater system must be provided to an

Executive Officer of Alberta Health Services.

- d. Disconnect and remove the effluent pipe leading to the existing sewage lagoon.
 - e. Repair the rear upper deck railings.
 - f. Eliminate all pest infestations.
 - g. Repair the floor in the upper main washroom.
 - h. Repair the basement shower.
3. If the above noted work has not been completed to the satisfaction of an Executive Officer of Alberta Health Services by the date of January 30th, 2012 the above noted premises shall be vacated and remain closed for tenant accommodation purposes.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Strathmore, Alberta, October 24th, 2011.

Norman Kruesel, CPHI(C)
Executive Officer
Environmental Health Officer

YOU HAVE THE RIGHT TO APPEAL

A person who **a) is directly affected by a decision of a Regional Health Authority, and**
b) feels himself aggrieved by the decision

may appeal the decision within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

HEALTH LEGISLATION, REGULATIONS AND STANDARDS

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7) or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html

AIRDRIE Regional Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit
303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone:403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium
10101 Southport Road SW
Calgary, AB T2W 3N2
Phone:403-943-2288
Fax: 403-943-8056

CANMORE Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre
60 Grande Boulevard
Cochrane, AB T4C 0S4 Phone:
403-851-6000
Fax:403- 851-6009

OKOTOKS Health and Wellness Centre
11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

STRATHMORE Public Health Office
650 Westchester Road
Strathmore, AB T1P 1H8
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www.albertahealthservices.ca/eph.asp